



## HAWAII

**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protective orders difficult for teens to obtain, Hawaii's grade for protecting teen victims of domestic and dating violence is a C.**

### Do I Qualify for an Order of Protection in Hawaii?

#### Type of Relationship<sup>1</sup>

In order to qualify for an order of protection, the abuser must be someone:

- You are married or used to be married to
- You are dating or used to date
- You have a child with
- You are dating or used to date
- You are living with or used to live with
- In your immediate family
- You are related to by blood

#### Type of Abuse<sup>2</sup>

A judge is allowed to give you an order of protection when your abuser has:

- Inflicted any physical harm, bodily injury or assault upon you
- Threatened imminent physical harm, bodily injury or assault
- Sexually abuse you
- Inflicted extreme psychological abuse
- Inflicted malicious property damage

#### Age

If you are 18 years or older, you can obtain an order of protection on your own without an adult's permission. If you are younger than 18 years old, any family or household member or a state agency must file on your behalf.<sup>3</sup>

### How Do I Get an Order of Protection?<sup>4</sup>

If you want to obtain a restraining order, you can go to court to file for a temporary protective order. The length of this order is at the discretion of the judge, but not to exceed 90 days. Then the judge will schedule a full hearing for a permanent protective order. After a full hearing, the judge can grant you a permanent protective order that is renewable.

### What Can I Ask for in an Order of Protection?

You may ask the court for the following in an order of protection:

- To restrain the abuser from contacting you<sup>5</sup>
- The abuser cannot threaten or physically abuse you or anyone residing in your home<sup>6</sup>
- The abuser must leave the residence for the length of the restraining order<sup>7</sup>
- Child custody<sup>8</sup>
- Visitation<sup>9</sup>
- Abuser must not use and must surrender all firearm(s)<sup>10</sup>

### How Much Will It Cost?

It is free.

You have the right to a safe and healthy relationship...  
free from violence and free from fear.

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<sup>1</sup> Haw. Rev. Stat. § 709-906(1) (2006).

<sup>2</sup> *Id.* § 586-1.

<sup>3</sup> *Id.* §§ 577-1; 586-3(b)(1), (2).

<sup>4</sup> *Id.* § 586-5(a), (b).

<sup>5</sup> *Id.* §§ 586-4 (a), 586-5.5.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* §§ 586-5(a), (b); 586-5.5.

<sup>9</sup> *Id.* § 586.5(b), 586-5.5.

<sup>10</sup> *Id.* § 134-7.5.

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